

# House File 213 - Introduced

HOUSE FILE 213

BY FISHER

## A BILL FOR

1 An Act relating to the confidentiality of information contained  
2 in audio and video call recordings.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 22.7, subsection 2, Code 2017, is amended  
2 to read as follows:

3 2. a. (1) Hospital records, medical records, and  
4 professional counselor records of the condition, diagnosis,  
5 care, or treatment of a patient or former patient or a  
6 counselee or former counselee, including outpatient.

7 (2) For purposes of this paragraph, "medical records"  
8 includes medical information contained in an audio or video  
9 call recording, including but not limited to an audio or video  
10 911 recording, relating to the injury or medical condition  
11 of a person who is the subject of the call. Such medical  
12 information may be shared with persons or entities that provide  
13 emergency fire, law enforcement, ambulance, or medical services  
14 that have a need for such medical information in order to  
15 perform their duties. Such shared medical information shall  
16 continue to maintain its confidential status and shall not  
17 otherwise be shared by the receiving person or entity.

18 b. However, confidential Confidential communications  
19 between a crime victim and the victim's counselor are not  
20 subject to disclosure except as provided in [section 915.20A](#).

21 c. However, the The Iowa department of public health shall  
22 adopt rules which provide for the sharing of information among  
23 agencies and providers concerning the maternal and child  
24 health program including but not limited to the statewide  
25 child immunization information system, while maintaining an  
26 individual's confidentiality.

27 Sec. 2. Section 22.7, Code 2017, is amended by adding the  
28 following new subsection:

29 NEW SUBSECTION. 5A. Information contained in audio or video  
30 call recordings including transcripts of such call recordings  
31 if the person making the call or the person who is the subject  
32 of the call is a person under the age of eighteen. For the  
33 purpose of this subsection, "call recordings" includes but is  
34 not limited to 911 call recordings.

35 EXPLANATION

1           The inclusion of this explanation does not constitute agreement with  
2           the explanation's substance by the members of the general assembly.

3       This bill relates to the confidentiality of information  
4 contained in audio and video call recordings.

5       Under current law, medical records of a government body  
6 under Code chapter 22 (Iowa's public records law) are required  
7 to be kept confidential, unless otherwise ordered by a court,  
8 by the lawful custodian of the records, or by another person  
9 duly authorized to release such information. The bill provides  
10 that the term "medical records" in this provision includes  
11 medical information contained in an audio or video call  
12 recording, including but not limited to an audio or video 911  
13 call recording, relating to the injury or medical condition of  
14 a person who is the subject of the call. However, such medical  
15 information may be shared with persons or entities that provide  
16 emergency fire, law enforcement, ambulance, or medical services  
17 that have a need for the information in the performance of  
18 their duties. Such shared medical information shall remain  
19 confidential and shall not otherwise be shared by the receiving  
20 person or entity.

21       The bill amends Code section 22.7, concerning the  
22 confidentiality of public records, to provide that information  
23 contained in audio or video call recordings including  
24 transcripts of such call recordings is confidential if the  
25 person making the call or the person who is the subject of  
26 the call is a person under the age of 18. The term "call  
27 recordings" includes but is not limited to 911 call recordings.  
28 Code section 22.7 provides that certain public records shall be  
29 kept confidential unless released by court order, by the lawful  
30 custodian of the records, or by another person duly authorized  
31 to release the records.